

REMARKS

The Office Action of June 27, 2005 has been received and its contents carefully considered. Applicants respectfully request reconsideration and allowance of the above-captioned application. Claims 1-13 remain pending in the application. Claims 14 and 15 are added with the present amendment.

Applicants note with appreciation that the Examiner has accepted the replacement sheet of drawings filed on April 12, 2005.

Claims 1-13 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jammes et al. (U.S. 6,484,149) and further in view of Maynard (U.S. 6,484,166). The Examiner alleges under the rejection that the combination of Jammes and Maynard teaches all of the features recited in claims 1-13. In addition, the Examiner alleges that the motivation for combining Maynard with Jammes would be to receive the benefit of an information management, retrieval and display system for searching through an informational resource and for displaying the results of the search in a collapsible/expandable format based upon a user-selected display criteria or hierarchy. The support for the identified motivation is asserted to be found in column 1, lines 48-56 of Maynard.

Hypothetical Combination

One of ordinary skill in the art, if combining the Jammes et al. reference and Maynard reference, would not arrive at the embodiments of the present invention as recited in claims 1-15.

Jammes is directed to a system for designing and maintaining an electronic store in which a graphical user interface of an enhanced web browser displays a

hierarchy of an electronic store (col. 3, lines 45-50). Jammes' Merchant Workbench System as disclosed in the patent categorizes merchandise within a file structure hierarchy with a searching capability (col. 26, lines 24-48). Jammes system has a user setting the product database into categories of products (e.g. automotive, clothing, furniture and so on) into a tree structure. The categories of products are created by the user.

Maynard, on the other hand, is an information management search retrieval and display system that searches through informational resources, such as pages of a website and displays the result of the search in a collapsible/expandable format based on a user-defined file criteria or hierarchy. Maynard provides a searchable database by dividing documents into finite elements. Finite elements are a user-defined "basket" of information from documents that could be individually indexed as such. The finite element is usually not a single word, phrase or symbol, but is a section or portion of an informational resource that can be identified and isolated by the break module.

Since Jammes' system has a search capability and there is no apparent benefit in replacing Jammes' disclosed searching capabilities with those of Maynard's, there would be no apparent reason for one of ordinary skill to look to Maynard to modify Jammes.

Even assuming *arguendo* that one was to substitute Maynard's search system for the research system of Jammes, the hypothetical combination would not result in the claimed embodiments of the present application. As shown described in Figure 3, blocks 64' and 66', Maynard's finite elements are paragraph sections sub-section or segments within the finite element excluding common words such as "and", "in",

and "the". In addition, each finite element is assigned a categorical tag based upon an analysis of the content of the finite element. The finite elements are passed by an index module into a searchable database.

When using a hypothetical combined system of Jammes and Maynard, it would seem that a user would have to type in a phrase or keywords. The search engine would then perform the search and present the results in one of three hierarchical display options. The display options would then be a research-centric display based on only the categorical tags, a conventional display which is based on the frequency of the search-string terms occurring in a finite element or a combination of the two.

The resulting hypothetical combination could provide a searchable store that displays a hierarchy of store products based upon the analysis of word frequencies or categorical tags. The final combination would not, however, provide a singular search result of a particular seal or bearing with associated design, reliability maintenance or training categories as recited in the context of the presently pending claims.

Prima Facie case of Obviousness not made

To establish a prima facie case of obviousness, three basic criteria must be met. First, the cited references must have some suggestion or motivation either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference

must teach or suggest all of the claim limitations. *In re Vaeck*, 947 F.2d 488, 20, USPQ2d 1438 (Fed. Cir. 1991).

Cited Patents Do Not Disclose All Elements of the Claims

In the rejection of claim 13, Maynard is alleged to disclose the step b) of receiving an instruction to assemble a new set of descriptor tags, the instruction being generated by a user using an input device to select one of a structure tag and a solution category tag, the instruction resulting in the generation of a new set of information units, where at least one of the structure and the solution category tags of the information units in the new set are interconnected to the information units of a previous set, at claim 28, column 23, line 33-column 24, line 12.

Maynard uses search queries comprising search string having at least one of a word, phrase or symbol (see Fig. 2A, element 52 and column 10, lines 45-58), whereas the recited step in present claim 1 responds to a user's selection of a structure tag and a solution category tag. Neither Maynard nor Jammes discloses such a "user selection step" as recited in the presently pending claims.

No Suggestion or Motivation to Combine the Cited Patents

In response to Applicant's argument that there is no suggestion to combine the references, the Examiner states in Paragraph 21 of the Office Action that the suggestion to combine comes from the references themselves and in the rejections cites particular sections of Maynard as providing the suggestion to combine Jammes and Maynard.

The Office Action identifies a passage (column 1, lines 48-56) in Maynard as the source of motivation for combining Maynard with Jammes, however, such

reliance is misplaced. As stated in the cited passage, Maynard is directed to an information management, retrieval and display system for searching through an informational resource, such as a treaty, web pages resident on the Internet or a stream of information, such as a DNA code.

Jammes on the other hand has a search capability that is described in detail at column 26, lines 24-48. The "Merchant Workbench" incorporates a search feature in its user interface (column 26, lines 39-41, Fig. 7D) that performs both text and numeric searches. Jammes does not state that the described search system is deficient in some manner or could be beneficially modified by others. Likewise, Maynard does not provide any suggestion that Maynard's disclosed searching system would provide any advantages over Jammes' system and would not motivate one of ordinary skill in the art to go to the effort to substitute the Maynard's searching system for Jammes' system absent such an indication.

In the rejection of claim 12, the Office Action alleges that one of ordinary skill would not only establish a category of design, or reliability, or training, or maintenance of a product, but would also create an information item including information related to bearing and seals. As the record stands, only Applicants' disclosure provides any suggestion for providing such information to a user. Therefore, it appears the Office has used the Applicants' own disclosure to provide the motivation for combining the references in a system using solution category tags indicating that the information unit belongs to one of design, reliability, training or maintenance categories for bearings and seals. Such use of the Applicants' own disclosure is improper hindsight.

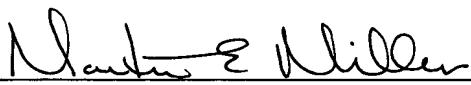
Therefore, since the applied art does not teach or suggest all of the features of the claims, does not identify the suggestion or the motivation in the references for combining the references, and does not provide an indication that the combination would have a reasonable expectation of success, for at least these reasons, a prima facie case of obviousness has not been established. Accordingly, claims 1-15 are allowable over the cited references and notification to that effect is respectfully requested.

Should any questions arise in connection with this application, or should the Examiner believe a telephone conference would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL PC

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